



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
www.uspto.gov

J NEVIN SHAFFER JR  
BUILDING ONE SUITE 360  
1250 CAPITAL OF TEXAS HIGHWAY S  
AUSTIN, TX 78746

MAILED

SEP 16 2010

OFFICE OF PETITIONS

In re Patent No. 6,415,576  
Issue Date: July 9, 2002  
Application No. 09/669,313  
Filed: September 25, 2000  
Attorney Docket No. None

:  
:  
:  
:  
:

ON PETITION

This is a decision on the petition under 37 CFR 1.378(c), filed August 12, 2010, to accept the delayed payment of a maintenance fee for the above-identified patent.

The petition is **DISMISSED**.

A grantable petition to accept the unintentionally delayed payment of a maintenance fee under 35 U.S.C. 41(c) and 37 CFR 1.378(c) must be accompanied by: (1) a statement that the delay was unintentional; (2) payment of the appropriate maintenance fee, unless previously submitted; (3) payment of the surcharge set forth in 37 CFR 1.20(i)(2).

The petition lacks item (2), above. The total fees required to reinstate this patent on August 12, 2010, is \$1,240 for the 7 ½ year maintenance fee and \$1,640 for the petition surcharge. Since the previous payment of 1,240 was returned, the fees in the amount of \$1,640 are deficient by \$1,240.

If reconsideration of this decision is desired, a petition for reconsideration under 37 CFR 1.378(e) must be filed within TWO (2) MONTHS from the mail date of this decision. No extension of this two-month time limit can be granted under 37 CFR 1.136(a) or (b). This is not a final agency action within the meaning of 5 U.S.C. § 704.

**Any petition for reconsideration of this decision must be accompanied by the petition fee of \$400 as set forth in 37 CFR 1.17(f). The petition for reconsideration must include the lacking item(s) noted above, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.**

If petitioner does not wish to pursue reinstatement of this expired patent, petitioner may request a refund of the \$1,640 fees submitted with the petition. The request should be made in writing and addressed to: Mail Stop 16, Director of the U.S. Patent and Trademark Office, P. O. Box 1450, Alexandria, VA 22313-1450. A copy of this decision should accompany petitioner's request.

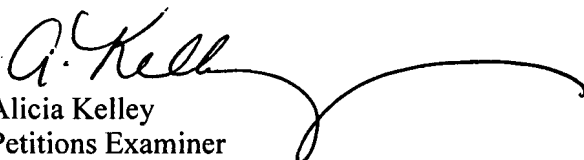
Further correspondence with respect to this matter should be addressed as follows:

By mail:                   Mail Stop PETITION  
                              Commissioner for Patents  
                              Post Office Box 1450  
                              Alexandria, VA 22313-1450

By hand:                   U. S. Patent and Trademark Office  
                              Customer Service Window, Mail Stop Petitions  
                              Randolph Building  
                              401 Dulany Street  
                              Alexandria, VA 22314

The centralized facsimile number is (571) 273-8300.

Telephone inquiries should be directed to the undersigned at (571) 272-6059.

  
Alicia Kelley  
Petitions Examiner  
Office of Petitions

cc:     GUSTAV M. STROMBACK  
          9019 BALCONES CLUB DR.  
          AUSTIN, TX 78750